



Town of Arlington, MA Redevelopment Board

Agenda & Meeting Notice October 2, 2023

Per Board Rules and Regulations, public comments will be accepted during the public comment periods designated on the agenda. Written comments may be provided by email to cricker@town.arlington.ma.us by Monday, October 2, 2023, at 3:00 pm. The Board requests that correspondence that includes visual information should be provided by Friday, Friday, September 29, 2023, at 12:00 pm.

The Arlington Redevelopment Board will meet Monday, October 2, 2023 at 7:30 PM in the **Town Hall Auditorium, 730 Massachusetts Avenue, Arlington, MA 02476**

1. Public Hearing: Warrant Articles for Fall 2023 Special Town Meeting

7:30 pm

The ARB will deliberate and vote on the proposed zoning amendments.

ARTICLE 12

ZONING BYLAW AMENDMENT / MBTA COMMUNITIES OVERLAY DISTRICT

To see if the Town will vote to amend the Zoning Bylaw to approve an MBTA COMMUNITIES OVERLAY DISTRICT or DISTRICTS of reasonable size where multi-family housing may be constructed as of right per the terms of MGL Chapter 40A Section 3A; or take any action related thereto.

ARTICLE 3

ZONING BYLAW AMENDMENT / ADMINISTRATIVE CORRECTION

To see if the Town will vote to amend the Zoning Bylaw to make the following administrative correction: Amend Section 5.9.2.C.(4), Accessory Dwelling Units Administration, to correct a reference it makes to a re-lettered subsection of Section 8.1.3; or take any action related thereto.

ARTICLE 4

ZONING BYLAW AMENDMENT/ REDUCED HEIGHT BUFFER AREA

To see if the Town will vote to amend the zoning bylaw to update Section 5.3.19 to define a "finding" by the Arlington Redevelopment Board and the Board of Appeals regarding reduced height buffer areas.

ARTICLE 5

ZONING BYLAW AMENDMENT/ OPEN SPACE IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS, Section 5.3.21 SUPPLEMENTAL REQUIREMENTS IN THE BUSINESS AND INDUSTRIAL DISTRICTS, Section 5.3.22 GROSS FLOOR AREA, and Section 5.5.2 DIMENSIONAL AND DENSITY REQUIREMENTS to modify the requirements for landscaped and usable open space in the Business Zoning Districts; or take any action related thereto.

ARTICLE 6

ZONING BYLAW AMENDMENT/ REAR YARD SETBACKS IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the rear yard setback or to allow for a variable rear yard setback and establish the criteria for such requirements for any use in the Business Districts; or take any action related thereto.

ARTICLE 7

ZONING BYLAW AMENDMENT/ STEP BACK REQUIREMENTS IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS and Section 5 DISTRICT REGULATIONS to clarify and adjust the upper-story building step back to begin at a higher story, clarify the measurement shall be from the principal property line, specify the applicable façades of a building for which the step back is required, and allow for an exemption for smaller parcels for buildings subject to Environmental Design Review with certain exceptions; or take any action related thereto.

ARTICLE 8

ZONING BYLAW AMENDMENT / HEIGHT AND STORY MINIMUMS IN BUSINESS DISTRICTS

To see if the Town will vote to amend Section 5.5.2 DIMENSIONAL AND DENSITY REGULATIONS to add a requirement for a minimum height and number of stories in all Business Districts with exceptions; or take any action related thereto.

ARTICLE 9

ZONING BYLAW AMENDMENT/CORNER LOT REQUIREMENTS

To see if the Town will vote to amend Section 5.3.8 CORNER LOTS AND THROUGH LOTS to amend the requirement for corner lots in all Business Districts which requires the minimum street yard to be equal to the required front yard depth; or take any action related thereto.

ARTICLE 10

ZONING BYLAW AMENDMENT / STREET TREES

To see if the Town will vote to amend the zoning bylaw to require a street tree to be planted for every 25 feet of street frontage for all developments; or take any action related thereto.

ARTICLE 11

ZONING BYLAW AMENDMENT / RESIDENTIAL USES IN BUSINESS DISTRICTS

To see if the Town will vote to amend the zoning bylaw to alter the use categories of a residential single-family home, duplex, or two-family home in any of the Business Districts; or take any action related thereto.

2. Review Meeting Schedule

10:20 pm The Board will discuss whether they need to meet on Monday, October 23, 2023.

3. Adjourn

10:30 pm Estimated

4. Correspondence



Town of Arlington, Massachusetts

Public Hearing: Warrant Articles for Fall 2023 Special Town Meeting

Summary:

7:30 pm

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ATTACHMENTS:

	Type	File Name	Description
▢	Reference Material	20230926_MBTA_Communities_zoning_article.pdf	20230926 MBTA Communities zoning article
▢	Reference Material	20230925_2023_Fall_TM_zoning_amendments_-_RENUMBERED.pdf	20230925 2023 Fall TM zoning amendments

MBTA COMMUNITIES OVERLAY DISTRICT

WARRANT ARTICLE

ARTICLE 12

ZONING BYLAW AMENDMENT/MBTA COMMUNITIES OVERLAY DISTRICT

To see if the Town will vote to amend the Zoning Bylaw to adopt an MBTA COMMUNITIES OVERLAY DISTRICT or DISTRICTS of reasonable size where multi-family housing may be constructed as of right per the terms of MGL Chapter 40A Section 3A.; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENTS

Proposed additions are underlined. Proposed deletions are in ~~strikeout~~.

Section 2: Definitions

Add the following definition:

As of Right Development: A development that may proceed under this Bylaw without the need for a special permit, variance, zoning amendment, waiver, or other discretionary zoning approval. It may, however, be subject to site plan review.

Add the following definition to the Definitions Associated with Dwelling:

Multi-family Housing: A building with three or more residential dwelling units or two or more buildings on the same lot with more than one residential dwelling unit in each building, excluding Accessory Dwelling Units.

Add the following definition:

Overlay District: A zoning district that is applied over one or more previously established zoning districts. An Overlay District may establish additional or alternative requirements for properties in the Overlay District that are different than the requirements in the underlying zoning district.

Add the following definition:

Site Plan Review: A process established by this Bylaw by which the Arlington Redevelopment Board reviews and potentially imposes conditions on an As of Right Development that may include, but not be limited to, matters such as vehicle access and circulation on a site, architectural design of a building, and screening of adjacent properties, prior to the issuance of a building permit.

Section 5: District Regulations

Renumber Section 5.9 as Section 5.10 and add a new Section 5.9 as follows:

Section 5.9 Multi-Family Housing Overlay Districts Established Under Massachusetts General Laws Chapter 40, Section 3A

5.9.1. Multi-Family Housing Overlay Districts

- A. The Multi-Family Housing Overlay Districts consist of two districts: the Massachusetts Avenue/Broadway Multi-Family (MBMF) Overlay District and the Neighborhood Multi-Family (NMF) Overlay District.
- B. The MBMF and NMF Overlay Districts do not replace existing underlying zoning districts but are superimposed over them. The provisions of Section 5.9 of this Bylaw apply to developments on parcels located within the MBMF and NMF Overlay Districts when the property owner has elected to comply with the requirements of the MBMF Overlay or NMF Overlay District, as applicable, rather than comply with those of the existing underlying zoning district. In other words, a development may comply with either the existing underlying zoning or the zoning within the applicable Overlay District, but not both on the same parcel or parcels.
- C. If a proposed development is located on a parcel or parcels within both the MBMF and the NMF Overlay Districts, the provisions of the MBMF District shall apply. If a proposed development is located on a parcel or parcels only partially within the MBMF or MNF Overlay Districts, the provisions of the existing underlying zoning shall apply and not of the Overlay Districts.

5.9.2. Purposes

The purposes of the Multi-Family Housing Overlay Districts are:

- A. To respond to the local and regional need for housing by enabling development of a variety of housing types,
- B. To promote multi-family housing near retail services, offices, civic, and personal service uses,
- C. To reduce dependency on automobiles by providing opportunities for upper-story and multi-family housing near public transportation,
- D. To ensure pedestrian-friendly development by permitting higher density housing in areas that are walkable to public transportation, shopping, and local services,
- E. To respond to the local and regional need for affordable housing by allowing for a variety of housing types with affordable housing requirements,
- F. To encourage economic investment in the redevelopment of properties,
- G. To encourage residential uses to provide a customer base for local businesses, and
- H. To ensure compliance with MGL c. 40A § 3A.

5.9.3 Site Plan Review

Development under Section 5.9 of this Bylaw requires Site Plan Review by the Arlington Redevelopment Board (ARB). The ARB shall provide site plan review for projects using the Environmental Design Review standards set forth in Section 3.4.4. of this Bylaw, the Residential Design Guidelines, and other Guidelines that may be adopted. Site plan review may include, but not be limited to, site layout, including lighting, landscaping and buffers, architectural style, outdoor amenities, and open spaces. All site plan reviews applicable to developments under this section shall be consistent with the purposes of this section and MGL c.40A § 3A, and any Compliance Guidelines issued thereunder, as amended.

5.9.4. Development Standards

- A. Development meeting the requirements of Section 5.9 of this Bylaw is As of Right Development.
- B. Development under Section 5.9 of this Bylaw shall be only Multi-family Housing except for the mixed-use bonus option in Section 5.9.4.E.(1) of this Bylaw.
- C. Accessory uses for residential uses are permitted to the same extent they would be permitted in the underlying district.
- D. Dimensional controls. The dimensional requirements of this Bylaw are modified as follows for developments under Section 5.9 of this Bylaw:
 - 1) Section 5.3.1 Lot Area Per Dwelling Unit does not apply.
 - 2) Section 5.3.3 Spacing of Residential and Other Buildings on One Lot does not apply.
 - 3) Section 5.3.8 Corner Lots and Through Lots does not apply.
 - 4) Section 5.3.11 Dimensional Requirements for Courts does not apply.
 - 5) Section 5.3.12(A) Traffic Visibility Across Street Corners does not apply in the MBMF district.
 - 6) Section 5.3.14 Townhouse Structures does not apply.
 - 7) Section 5.3.1.7 Upper-Story Building Step Backs are required on all street frontages. Step Backs shall be 7.5' from the property line, starting on the fifth floor.
 - 8) Section 5.3.19 Height Buffer Area shall not apply.
 - 9) There are no requirements for minimum lot size, lot area per dwelling unit, lot frontage, landscaped or usable open space, Floor Area Ratio, or lot coverage.
 - 10) The minimum required front setback is 15 feet, except that in the MBMF district where the ground floor façade facing the public way is occupied by nonresidential uses, no front setback is required. Minimum required front setback areas shall be available for uses such as trees, landscaping, benches, tables, chairs, play areas, public art, or similar features. Parking spaces are not permitted in the minimum required front setback.
 - 11) § 5.3.10, Average Setback Exception to Minimum Front Yard: All R Districts, shall be applied in the NMF District.

12) Except as noted below, in Section E. Bonuses, the dimensional regulations are as follows:

<u>District</u>	<u>MBMF – Mass. Ave</u>	<u>MBMF – Broadway</u>	<u>NMF</u>
<u>Max. Height in Stories</u>	<u>4</u>	<u>4</u>	<u>4</u>
<u>Max. Height in Feet</u>	<u>52'</u>	<u>52'</u>	<u>46'</u>
<u>Front Setback</u>	<u>15'</u>	<u>15'</u>	<u>15'</u>
<u>Side Setback</u>	<u>5'</u>	<u>5'</u>	<u>10'</u>
<u>Rear Setback</u>	<u>20'</u>	<u>20'</u>	<u>20'</u>

E. Bonuses

- 1) In the MBMF District, for properties abutting Massachusetts Avenue, where the ground floor at street level is at least 60% occupied by business uses, and the frontage is at least 80% occupied by business uses, the maximum height is 6 stories and 78 feet, and the front yard setback requirement is reduced to 0 feet. In the MBMF District, for properties abutting Broadway, where the ground floor at street level is at least 60% occupied by business uses, and the frontage is at least 80% occupied by business uses, the maximum height is 5 stories and 65 feet, and the front yard setback requirement is reduced to 0 feet.
- 2) In the MBMF District, one additional story may be added if the total percentage of affordable units exceeds the requirements in Section 8.2.3 Requirements for a total of at least 22.5% of all units. In the MBMF District for properties facing Massachusetts Avenue, a second additional may be added if the total percentage of affordable units exceeds the requirements in Section 8.2.3 Requirements for a total of at least 25% of all units.
- 3) In the MBMF District, one additional story is allowed for projects that are SITES certifiable, which encourages high quality design, construction and maintenance of outdoor spaces.
- 4) The height with all bonuses shall not exceed 6 stories, 78 feet in the MBMF District on Massachusetts Avenue, 5 stories, 65 feet in the MBMF District on Broadway, and 4 stories, 46 feet in the NMF District.

F. Off-Street Parking and Bicycle Parking

- 1) The minimum parking requirement for dwelling and rooming units is 0 parking spaces per unit, and the maximum parking allowed is one parking space per dwelling or rooming unit. For business uses, no off-street parking is required for the non-residential space.
- 2) Up to 50% of parking spaces may be sized for compact cars (as described in Section 6.1.11. Parking and Loading Space Standards)
- 3) Bicycle parking requirements as set forth in Section 6.1.12 shall apply.
- 4) Developments under this section may provide fewer parking spaces under the provisions of Section 6.1.5 Parking Reduction in Business, Industrial, and Multi-Family Residential Zones.
- 5) All other parking provisions in Section 6.1 OFF STREET PARKING shall apply.

G. Affordable Housing

Section 8.2 Affordable Housing Requirements of this Bylaw shall apply to any development under Section 5.9 of this Bylaw containing six or more dwelling units. Until the Massachusetts Executive Office of Housing and Livable Communities (EOHLC) approves using the requirements of Section 8.2 for housing built under Section 5.9 of this Bylaw, the affordability requirements are that ten percent of the dwelling units shall be affordable, and the cap on the income of families or individuals who are eligible to occupy the affordable units is not less than 80 percent of area median income or such other guideline as EOHLC shall issue.

Need to include the proposed overlay zoning map and parcels list here.



TOWN OF ARLINGTON
DEPARTMENT OF PLANNING and
COMMUNITY DEVELOPMENT

TOWN HALL, 730 MASSACHUSETTS AVENUE
ARLINGTON, MASSACHUSETTS 02476
TELEPHONE 781-316-3090

MEMORANDUM

To: Arlington Redevelopment Board
From: Claire V. Ricker, AICP Director of Planning and Community Development
Date: September 14, 2023; Revised September 25, 2023
RE: ARB Draft Amendments for Fall 2023 Special Town Meeting

The ARB has proposed a number of adjustments in the Business Districts to encourage economic development by limiting or eliminating barriers to redevelopment, and by requiring new development to meet certain minimum requirements. The following warrant articles and draft amendments are proposed for the Fall 2023 Special Town Meeting. For discussion purposes, the proposed warrant articles are listed in this table:

Article	Zoning Bylaw Amendment	Page
Article 3	Administrative Correction	2
Article 4	Reduced Height Buffer Area	3
Article 5	Open Space in Business Districts	4
Article 6	Rear Yard Setbacks in Business Districts	8
Article 7	Step Back Requirements in Business Districts	10
Article 8	Height and Story Minimums in Business Districts	11
Article 9	Corner Lot Requirements	12
Article 10	Street Trees	13
Article 11	Residential Uses in Business Districts	15

(Proposed additions are underlined. Proposed deletions are in ~~strikeout~~.)

ADMINISTRATIVE CORRECTION

WARRANT ARTICLE

ARTICLE 3

ZONING BYLAW AMENDMENT / ADMINISTRATIVE CORRECTION

To see if the Town will vote to amend the Zoning Bylaw to make the following administrative correction:
Amend Section 5.9.2.C.(4), Accessory Dwelling Units Administration, to correct a reference it makes to a re-lettered subsection of Section 8.1.3; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Amend Section 5.9.2.C.(4) as follows:

(4) In the event of any conflict or inconsistency between the provisions of this Section 5.9.2 or Section ~~8.1.3.E~~, 8.1.3.D, on the one hand, and any other provisions of this Bylaw, the provisions of this Section 5.9.2 and Section ~~8.1.3.E~~ 8.1.3.D shall govern and control.

REDUCED HEIGHT BUFFER AREA

WARRANT ARTICLE

ARTICLE 4

ZONING BYLAW AMENDMENT/REDUCED HEIGHT BUFFER AREA

To see if the Town will vote to amend the zoning bylaw to update Section 5.3.19 to define a “finding” by the Arlington Redevelopment Board and the Board of Appeals regarding reduced height buffer areas; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Section 5.3.19: Reduced Height Buffer Area

- A. When two different maximum height limits are specified for the same zoning district in any Table of Dimensional and Density Regulations in this Section 5, the lower limit shall apply to any lot or part of a lot located in a height buffer area unless a finding of the Board of Appeals or the Arlington Redevelopment Board, as applicable, determines that the location, based on site-specific factors, or if the Applicant demonstrates to the satisfaction of the Board of Appeals or the Arlington Redevelopment Board, as applicable, that proximity to it is determined as a specific finding of a special permit that the properties in the adjacent R0, R1, R2, or OS district would not be adversely affected due to existing use or topographic condition will not be detrimental based upon criteria established in Section 3.3.3 and Section 3.3.4. A height buffer area is defined as a lot or part of a lot which is located at a lesser distance from any land, not within a public way, in an R0, R1, R2 or OS district than the following:

Land in R0, R1, R2, OS is located	Lower height shall apply
Between northwest and northeast	Within 200 <u>50</u> feet
Easterly, between northeast and southeast, or westerly between northwest and southwest	Within 150 <u>35</u> feet
Southerly, between southeast and southwest	Within 100 <u>25</u> feet

OPEN SPACE IN BUSINESS DISTRICTS

WARRANT ARTICLE

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(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Section 2: Definitions

Open Space, Landscaped: Open space designed and developed for pleasant appearances in trees, shrubs, ground covers and grass, including other landscaped elements such as natural features of the site, walks and terraces, and also including open areas accessible to and developed for the use of the occupants of the building located upon a roof not more than 10 feet above the level of the lowest story used for dwelling purposes – except in the Business Districts where open space areas accessible to and developed for the use of occupants of the building may be located upon a roof, balcony, or balconies at any level of the building. Refer to Section 5.3.22.C. for how to calculate landscaped open space.

Open Space, Usable: The part or parts of a lot designed and developed for outdoor use by the occupants of the lot for recreation, including swimming pools, tennis courts, or similar facilities, or for garden or for household service activities such as clothes drying; which space is at least 75% open to the sky, free of automotive traffic and parking, and readily accessible by all those for whom it is required. Such space may include open area accessible to and developed for the use of the occupants of the building and located upon a roof not more than 10 feet above the level of the lowest story used for dwelling purposes – except in the Business Districts where open space areas accessible to and developed for the use of occupants of the building may be located upon a roof, balcony, or balconies at any level of the building. Open space shall be deemed usable only if at least 75% of the area has a grade of less than 8% and no horizontal dimension is less than 25 feet. For newly constructed single-, two-family, and duplex dwellings with surface parking, no horizontal dimension shall be less than 20 feet. Refer to Section 5.3.22.C for how to calculate usable open space.

Section 5.3.21: Supplemental Requirements in the Business and Industrial Districts (paragraph d)

A. Screening and Buffers: Industrial and Business Districts and Parking Lots

- (1) Screening and space buffers shall be required in any Industrial (I) or Business (B) district that abuts certain buildable residential lots. The minimum width of the buffer shall be as follows:

I or B District	Abutting R District	Minimum Buffer
I, B5	R0 through R5	25 ft.
B3, B2A, B4	R0 through R5	15 ft.
I	R6 through R7	10 ft.
B1, B2	R0 through R5	10 ft.

The strip shall contain a screen of plantings of vertical habit not less than three feet in width and six feet in height at the time of occupancy of such lot. Individual shrubs or

trees shall be planted not more than 20 feet on center, and shall thereafter be maintained by the owner or occupants to maintain a dense screen year-round. At least 50% of the plantings shall consist of evergreens and they shall be evenly spaced. A solid wall or solid wooden fence, five to six feet in height, complemented by suitable plantings, may be substituted for one-half the required width of such landscaped buffer strip; however, provisions of this section shall not supersede the minimum setbacks for parking lots per Section 6.1 nor the minimum yard requirements of Sections 5.5 and 5.6. No screen shall be closer than 10 feet to a public or private way. Where deemed appropriate by the property owner and immediate abutters, and as approved by the building inspector, another wall or fence height or fence type, including but not limited to coated chain link or "wrought iron" types may be substituted for the required wall or fence. See Section 5.3.7 for screening and buffer requirements for Business districts, Industrial districts, and parking lots.

- (2) For any area used for the parking of more than five vehicles, the screening provisions of Section 6.1, Off-Street Parking, shall apply.
- B. Accessory Structures. Accessory structures must comply with the minimum yard, maximum height, and minimum open space requirements of the district in which they are located.
- C. Upper-Story Setbacks. In any district where the maximum building height exceeds three stories, upper-story building setbacks shall be required. See Section 5.3.17 for Upper Story Step Back requirements.
- D. ~~For mixed uses and any permitted residential use not specifically identified in the tables in Section 5.5.2(A), the minimum open space requirements (computed from the residential floor area only) shall be 10% landscaped and 20% usable in the B1, B2, B2A, B3, and B4 districts, and 15 percent usable in the B5 district.~~

Section 5.3.22: Gross Floor Area

- A. For the purposes of this bylaw, the following areas of buildings are to be included in the calculation of Gross Floor Area:
 - (1) Elevator shafts and stairwells on each floor;
 - (2) Attic areas with headroom, measured from subfloor to the bottom of the roof structure, of seven feet, except as excluded in (4) below;
 - (3) Interior mezzanines;
 - (4) Penthouses;
 - (5) Basement areas except as excluded in (2) below;
 - (6) Cellars in residential uses;
 - (7) All-weather habitable porches and balconies; and
 - (8) Parking garages except as excluded in (1) below.
- B. For the purposes of this bylaw, the following areas of buildings are to be excluded from the calculation of Gross Floor Area:
 - (1) Areas used for accessory parking, or off-street loading purposes;
 - (2) Basement areas devoted exclusively to mechanical uses accessory to the operation of the building;
 - (3) Open or lattice enclosed exterior fire escapes;

- (4) Attic and other areas used for elevator machinery or mechanical equipment accessory to the operation of the building; and
 - (5) Unenclosed porches, balconies, and decks.
- C. For the purposes of this bylaw, the district dimensional requirements for Usable Open Space and Landscaped Open Space in all districts except the Business Districts are calculated based on Gross Floor Area. For calculating Usable Open Space and Landscaped Open Space in the Business Districts, see the note at the end of the B District Open Space and Lot Coverage table in Section 5.5.2.A., Tables of Dimensional and Density Regulations, in this Bylaw.

Section 5.5.2: Dimensional and Density Regulations

A. Tables of Dimensional and Density Regulations

B District Open Space and Lot Coverage

Use District	Minimum/Maximum Requirement		
	Landscaped Open Space	Usable Open Space	Maximum Lot Coverage
B1			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Mixed-use	20%	Sec. 5.3.21 ----	-----
Any other permitted use	20%	Sec. 5.3.21 ----	-----
B2			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Townhouse or apartment building	10%	20%	-----
Mixed-use	10% 15%	Sec. 5.3.21 ----	-----
Any other permitted use	10% 15%	Sec. 5.3.21 ----	-----
B2A			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Apartments on street w/ ROW <=50 ft.	10%	25%	-----
Apartments on street w/ ROW >50 ft.	10%	20%	-----
Mixed-use <=20,000 sq. ft.	----- 15%	Sec. 5.3.21 ----	-----
Mixed-use >20,000 sq. ft.	10% 15%		-----
Any other permitted use	20% 10% 15%	Sec. 5.3.21 ----	-----
B3			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Townhouse or apartment building	10%	20%	-----
Mixed-use <=20,000 sq. ft.	----- 15%	Sec. 5.3.21 ----	-----
Mixed-use >20,000 sq. ft.	10% 15%		-----
Any other permitted use	20% 15%	Sec. 5.3.21 ----	-----
B4			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Apartments on street w/ ROW <=50 ft.	10%	30%	-----
Apartments on street w/ ROW >50 ft.	10%	20%	-----
Mixed-use <=20,000 sq. ft.	----- 15%	Sec. 5.3.21 ----	-----
Mixed-use >20,000 sq. ft.	10% 15%		-----
Any other permitted use		Sec. 5.3.21 ----	-----

	Minimum/Maximum Requirement		
B5			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	10%	30%	-----
Townhouse or apartment building	10%	15%	-----
Mixed-use <= 20,000 sq. ft.	----- 15%	Sec. 5.3.21 -----	-----
Mixed-use > 20,000 sq. ft.	10% 15%		
Any other permitted use	10% 15%	(20% for residential use)	-----
On a lot >= 40,000 sq. ft.	10% 15%	Sec. 5.3.21	-----
On a lot >= 80,000 sq. ft.	10% 15%	Sec. 5.3.21 -----	-----

Note: In the Business Districts, the district dimensional requirements for Landscaped Open Space and Usable Open Space and are calculated based on the lot area.

REAR YARD SETBACKS IN BUSINESS DISTRICTS

WARRANT ARTICLE

ARTICLE 6 ZONING BYLAW AMENDMENT/ REAR YARD SETBACKS IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 5.5.2. DIMENSIONAL AND DENSITY REQUIREMENTS to reduce the rear yard setback or to allow for a variable rear yard setback and establish the criteria for such requirements for any use in the Business Districts; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Section 5.5.2: Dimensional and Density Regulations

A. Tables of Dimensional and Density Regulations

B District Yard and Open Space Requirements

	Minimum Requirement		
District Use	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)
B1			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Mixed-use	20	10	20 *
Any other permitted use	20	10	20 *
B2			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Townhouse or apartment building	20	10	20 *
Mixed-use <=20,000 sq. ft.			10+(L/10) *
Mixed-use >20,000 sq. ft.	0	0	10+(L/10) *
Any other permitted use	-----	-----	10+(L/10) *
B2A			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Apartments on street w/ ROW <=50 ft.	15	10+(L/10)	30 *
Apartments on street w/ ROW >50 ft.	15+(H/10)	(H+L)/6	
Mixed-use <=20,000 sq. ft.	0	0	10+(L/10) *
Mixed-use >20,000 sq. ft.	0	0	10+(L/10) *
Any other permitted use	-----	-----	10+(L/10) *
B3			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Townhouse or apartment building	15+(H/10)	(H+L)/6	(H+L)/6 *
Mixed-use <=20,000 sq. ft.	0	0	(H+L)/6 *
Mixed-use >20,000 sq. ft.	0	0	(H+L)/6 *
Any other permitted use <20,000 sq. ft.			(H+L)/6 *
Any other permitted use >20,000 sq. ft.	-----	-----	(H+L)/6 *

District Use	Minimum Requirement		
	Front Yard (ft.)	Side Yard (ft.)	Rear Yard (ft.)
B4			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Apartments on street w/ ROW ≤50 ft.	15	10+(L/10)	30 *
Apartments on street w/ ROW >50 ft.	15+(H/10)	(H+L)/6	(H+L)/6 (at least 30 ft.) *
Mixed-use ≤20,000 sq. ft.	0	0	10+(L/10) *
Mixed-use >20,000 sq. ft.	0	0	10+(L/10) *
Any other permitted use	-----	-----	10+(L/10) *
B5			
Single-family detached dwelling, two-family dwelling, duplex dwelling, three-family dwelling	20	10	20
Townhouse or apartment building	15+(H/10)	(H+L)/6 (at least 20 ft.)	(H+L)/6 (at least 20 ft.) *
Mixed-use ≤20,000 sq. ft.	0	0	10+(L/10) *
Mixed-use >20,000 sq. ft.	0	0	10+(L/10) *
Any other permitted use			(H+L)/6 *
On a lot ≥40,000 sq. ft.	-----	-----	(H+L)/6 *
On a lot ≥80,000 sq. ft.	-----	-----	(H+L)/6 *

Note: L is the length of a wall parallel (or within 45 degrees of parallel) to lot line, measured parallel to lot line, subject to the provisions of Section 5.3.15 for buildings of uneven alignment or height. H is the height of that part of the building for which the setback or yard is to be calculated.

* 0 feet when abutting an alley or rear right-of-way of at least 10 feet of width

* 10 feet when abutting a non-residential district

* 20 feet for three or fewer stories when abutting a residential district

* 30 feet for four and more stories when abutting a residential district

* If the rear yard abuts both a residential and non-residential district, the minimum requirement for the residential district shall apply.

STEP BACK REQUIREMENTS IN BUSINESS DISTRICTS

WARRANT ARTICLE

ARTICLE 7 ZONING BYLAW AMENDMENT/ STEP BACK REQUIREMENTS IN BUSINESS DISTRICTS

To see if the Town will vote to amend the Zoning Bylaw to update Section 2 DEFINITIONS and Section 5 DISTRICT REGULATIONS to clarify and adjust the upper-story building step back to begin at a higher story, clarify the measurement shall be from the principal property line, specify the applicable façades of a building for which the step back is required, and allow for an exemption for smaller parcels for buildings subject to Environmental Design Review with certain exceptions; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Amend Section 2, Definitions, as follows:

Building Step Back: An upper story building setback provided along all building elevations the entire principal façade of a building with street frontage. ~~excluding alleys.~~

Amend Section 5.3.17, Upper-Story Building Step Backs, as follows:

For buildings in excess of three (3) stories in height, ~~an additional~~ a seven and one-half (7.5) foot step back (upper story building setback) shall be provided beginning at the fourth (4th) story on the entire principal façade of the building. For a building with street frontage on Massachusetts Avenue or Broadway, the principal façade and principal property line are presumed to be facing Massachusetts Avenue or Broadway, respectively, unless the Arlington Redevelopment Board determines otherwise. ~~The upper story step back shall be provided along all building elevations with street frontage, excluding alleys. This requirement~~ Step back requirements shall not apply to buildings in the Industrial District.

The upper-story step back shall be measured from the principal property line for the building and may be on the fourth story or may be a combination of various story setbacks so that the fourth story is setback the required amount from the principal property line.

Amend Sections 5.3.21.C., D., and E, Supplemental Requirements in the Business and Industrial Districts, as follows:

~~C. Upper Story Setbacks. In any district where the maximum building height exceeds three stories, upper-story building setbacks shall be required. See 5.3.17 for Upper Story Step Back requirements.~~

~~D. C.~~ For mixed uses and any permitted residential use not specifically identified in the tables in Section 5.5.2(A), the minimum open space requirements (computed from the residential floor area only) shall be 10% landscaped and 20% usable in the B1, B2, B2A, B3, and B4 districts, and 15 percent usable in the B5 district.

~~E. D.~~ Minimum side and rear yards in Industrial Districts and minimum front, side, and rear yard are not required when abutting railroad track or railroad right-of-way if railroad is utilized for loading or unloading.

HEIGHT AND STORY MINIMUMS IN BUSINESS DISTRICTS

WARRANT ARTICLE

ARTICLE 8 ZONING BYLAW AMENDMENT/ HEIGHT AND STORY MINIMUMS IN BUSINESS DISTRICTS

To see if the Town will vote to amend Section 5.5.2 DIMENSIONAL AND DENSITY REGULATIONS to add a requirement for a minimum height and number of stories in all Business Districts with exceptions; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Amend Section 5.5.2 by adding Section 5.5.2.C. Minimum Height and Story Requirements for the Business Districts

C. Minimum Height and Story Requirements for the Business Districts

In the Business Districts, buildings shall be a minimum of two stories and twenty-six feet in height. Both stories shall be usable. The requirement shall not apply to single family residential buildings. The Arlington Redevelopment Board may waive or modify the minimum height and story requirement if it finds that the requirement is infeasible for the property or project.

CORNER LOT REQUIREMENTS

WARRANT ARTICLE

ARTICLE 9

ZONING BYLAW AMENDMENT/CORNER LOT REQUIREMENTS

To see if the Town will vote to amend Section 5.3.8 CORNER LOTS AND THROUGH LOTS to amend the requirement for corner lots in all Business Districts which requires the minimum street yard to be equal to the required front yard depth; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Section 5.3.8: Corner Lots and Through Lots

Amend Section 5.3.8.A. as follows:

- A. A corner lot shall have minimum street yards with depths which shall be the same as the required front yard depths for the adjoining lots, except in the Business Districts a corner lot shall have the minimum street yards with depth for its front and side yard as required by the front and side yard setback requirements, as applicable, for the district in which it is located.

STREET TREES

WARRANT ARTICLE

ARTICLE 10

ZONING BYLAW AMENDMENT / STREET TREES

To see if the Town will vote to amend the zoning bylaw to require a street tree to be planted for every 25 feet of street frontage for all developments; or take any action related thereto.

(Inserted at the Request of the Redevelopment Board)

DRAFT AMENDMENT

Amend Sections 6.3.2, 6.3.3, and 6.3.4 as follows:

6.3.2. Applicability

In the Business and Residential Districts, new construction, additions over 50% of the existing footprint, or redevelopment subject to review by the Arlington Redevelopment Board or Zoning Board of Appeals shall provide one public shade tree every 25 linear feet of lot frontage along the public way where there is not already a public shade tree.

6.3.3. Administration

A. This Section 6.3 shall be administered subject to Sections 3.3, Special Permits, ~~and~~ 3.4, Environmental Design Review, and Section 9.x by the Arlington Redevelopment Board. It shall be administered by the Zoning Board of Appeal for projects under its review. It shall be administered by the Department of Planning and Community Development if the project is not subject to review by the Arlington Redevelopment Board or Zoning Board of Appeals.

B. ~~After the effective date of this Bylaw,~~ Public shade trees shall be provided for any applicable use above ~~and subject to Section 3.4, Environmental Design Review,~~ and in accordance with the Standards established in this Section 6.3.

6.3.4. Standards

A. Street trees shall be planted within existing and proposed planting strips, and in sidewalk tree wells on streets without planting strips.

B. Trees shall be selected from the approved tree list set forth by the Tree Committee and approved by the Tree Warden.

C. When planted, trees must be a minimum height of ten (10) feet or two (2) inches in caliper.

D. All new trees shall be maintained in accordance with American Standard for Nursery Stock standards for a period of no less than 36 months from the date of planting, or other standards the Arlington Redevelopment Board may designate. Properties in which there are preexisting public shade trees at the required spacing along the public way are exempt.

E. Where there is no other suitable location within the public way, shade trees may be proposed in locations within the lot, or in exceptional circumstances the Arlington Redevelopment Board or Zoning Board of Appeals, as applicable, may allow the owner to make a financial contribution to the Arlington

Tree Fund. The Department of Planning and Community Development may make such allowance for projects not subject to review by the Arlington Redevelopment Board or Zoning Board of Appeals.

The Arlington Redevelopment Board or Zoning Board of Appeals, as applicable, may grant an increase in spacing between plantings where a new planting would conflict with existing trees, retaining walls, utilities, and similar physical barriers, or other curbside uses. The Department of Planning and Community Development may grant such increase for projects not subject to review by the Arlington Redevelopment Board or Zoning Board of Appeals.

RESIDENTIAL USES IN BUSINESS DISTRICTS

WARRANT ARTICLE

ARTICLE 11 ZONING BYLAW AMENDMENT / RESIDENTIAL USES IN BUSINESS DISTRICTS

To see if the Town will vote to amend the zoning bylaw to alter the use categories of a residential single-family home, duplex, or two family home in any of the Business Districts; or take any action related thereto.

(Inserted at the request of the Redevelopment Board)

DRAFT AMENDMENT

Amend Sections 5.5.1. and 5.5.3. as follows:

Section 5.5.1. Districts and Purposes

- A. B1: Neighborhood Office District. In the Neighborhood Office District, the predominant uses include ~~one and two~~ three-family dwellings, houses with offices on the ground floor, or office structures which are in keeping with the scale of adjacent houses. Primarily located on or adjacent to Massachusetts Avenue, this district is intended to encourage preservation of small-scale structures to provide contrast and set off the higher-density, more active areas along the Avenue. Mixed-use buildings without retail space are allowed in this district. The Town discourages uses that would detract from the desired low level of activity, consume large amounts of land, or otherwise interfere with the intent of this Bylaw.

Section 5.5.3. Use Regulations for Business Districts

Class of Use	B1	B2	B2A	B3	B4	B5
Residential						
Single-family detached dwelling	¥	¥	¥	¥	¥	¥
Two-family dwelling, duplex dwelling	¥	¥	¥	¥	¥	¥



Town of Arlington, Massachusetts

Correspondence

ATTACHMENTS:

Type	File Name	Description
Reference Material	Correspondence_-_Barry_-_09182023.pdf	Correspondence - Barry - 09182023
Reference Material	Correspondence_-_Ch'ng_-_09202023.pdf	Correspondence - Ch'ng - 09202023
Reference Material	Correspondence_-_Heigham_-_09282023.pdf	Correspondence - Heigham - 09282023
Reference Material	Correspondence_-_Hota_-_09212023.pdf	Correspondence - Hota - 09212023
Reference Material	Correspondence_-_Jones_-_09182023.pdf	Correspondence - Jones - 09182023
Reference Material	Correspondence_-_Rapetov_-_09242023.pdf	Correspondence - Rapetov - 09242023
Reference Material	Correspondence_-_White_-_09282023.pdf	Correspondence - White - 09282023
Reference Material	Correspondence_-_Worden_-_09202023.pdf	Correspondence - Worden - 09202023

From: Michael Barry

Sent: Monday, September 18, 2023 4:17 PM

To: Eugene Benson; Stephen Revilak; Claire Ricker; MBTA Communities; Rachel Zsembery

Subject: Support for Zoning Overlay - MBTA Comm. Act

Good afternoon,

I just wanted to say first thanks for your service to the town, and thanks very much for working on a plan to take a big step toward allowing construction of more multi-family housing in Arlington. I know this will be controversial, and it will change somewhat the character of the areas with more portion of multi-family housing. But we have to do something. The cost of entry to Arlington shouldn't be \$1M and the days of a family of 6-8 with maybe some uncles or grandparents in a single-family home are past. Most households are smaller now and we need more units to house the same number of people.

I looked at the map on-line and it looks pretty modest to me; it seems to focus on Mass Ave, Broadway and Paul Revere road. I live in little Scotland and would support a bit more denser development than the several new duplexes that have been built in my neighborhood; I don't think these detract from the neighborhood at all and we can now house twice the people on these lots. Prior I've lived in neighborhoods with mixed single family homes, double/triple deckers and multiple family housing in Cambridge and Oslo, Norway and it was quite nice and charming and promoted a more diverse and vibrant neighborhood.

Thanks again for your foresight and hard work and I hope the zoning overlay passes, I will be writing my TM reps.

Thank you,

Mike

Michael Barry

32 Kilsythe Rd

Arlington, MA 02476

mikebarry657@icloud.com

Mobile +1.617.257.2251

mikebarry657@gmail.com

(Backup email)

From: Melissa Ch'ng
Sent: Wednesday, September 20, 2023 9:11 AM
To: MBTA Communities
Subject: Letter in support of current Arlington rezoning plans

Hi,

My name is Melissa Chng, I live in East Arlington, and I am writing in support of the current rezoning plans to increase housing density along MBTA routes.

I live in East Arlington in an area that will be affected by the rezoning. I rely on the MBTA bus system and the Minuteman bike path to get to work and my child to daycare. I have used both methods in all seasons and found the Arlington bus system to be efficient for getting to where I need to go. Even at rush hour, the buses are under used and can accommodate more riders. Everything I need is within walking or biking distance. My life is manageable without driving a car here.

I am privileged enough to be able to afford a condo in Arlington. Many of my friends with high paying jobs cannot afford to live in Arlington. Land in Arlington is valuable because of proximity to centers of work in Boston and Cambridge and the Alewife T station. This land is not going to get less valuable with time. If we do not build higher density housing to let more people live here, then we restrict the population here to only the very privileged. And if we don't invest in the public transport system, then only very privileged people who drive everywhere and care more about the aesthetics of four storey buildings than climate change can live here.

Speaking practically, it will take years, maybe decades, before the rezoning maximums are even realized. That gives the town plenty of time to plan for and absorb a higher number of residents. Rezoning is a promise to make housing more affordable, to make public transit more reliable, to make Arlington streets more walkable, so that more people can live and thrive and contribute to the betterment of this town. It benefits the young and the old, the able bodied and the handicapable alike. I hope the Arlington Redevelopment Board will continue to support the rezoning plans.

Sincerely
Melissa Chng

From: Christopher Heigham
Sent: Thursday, September 28, 2023 12:59 PM
To: Rachel Zsebery
Cc: Kin Lau; Eugene Benson; Stephen Revilak; Claire Ricker
Subject: STM warrant articles

Warrant Articles 4-11

I'll echo Laurel Kayne's request for pictures and diagrams to show their effect. Given how intensely visual Architecture is, I'm surprised you don't already have these for yourselves.

Warrant Article 12

Caution is warranted here.

First, Section 3A is unlikely to be the last state mandate. Rather than vastly overshooting the mark now, consider a "compliance budget" that we must spend wisely.

As you saw from the WG 7/25 meeting and your 9/11 hearing, there already is a lot of questioning and dissent about the capacity of the both proposed overlays. If this article squeaks through TM with only 50%+, it will be very bad for the town going forward. Aim for 80% or more, which is possible if the overlay is reduced to, say, a capacity of 5000. This also fulfills the spirit of the law by creating the potential for 3000+ units.

You could start with the intersection of the two Working Group alternatives, which removes the neighborhoods added very late in the process. You have plenty of capacity to do this.

And look at a 3-story limit for the Neighborhood Zones.

The WG resisted going through any proposed overlay parcel by parcel, so now that's up to the ARB. Residents and organizations have already singled out some historic and religious parcels in the current overlays as inappropriate, so this work is clearly necessary.

Also, the late elimination of so many dimensional regulations, which was not discussed by the WG, is alarming and needs much more examination.

Respectfully,
Topher Heigham, TMM P15

From: Monalisa Hota
Sent: Thursday, September 21, 2023 10:46 AM
To: MBTA Communities
Subject: Questions about MBTA Rezoning proposal

Hello,

I have been pondering over this proposal for a while because it is a good idea to be able to accommodate people from all classes and have options for Arlington residents to downsize or buy their first homes. However, there are some aspects of this proposal that I don't fully understand, which I would like to ask.

1. What is the actual need of going so much over the required limit at this point in time when the state calculated the number based on some criteria? Is it not possible to roll out a smaller version of this expansion proposal (that meets the minimum requirement), learn from that experience and then reconvene to expand further or not. This seems to be a more cautious approach in my opinion as there are always possibilities of mistakes and room for improvement but I would love to know the reasons.
2. As for selection if the zone for rezoning, were the 8000+ parcels if single/detached units considered for building 2 families and multi families by right? The area marked for building up in this proposal is already quite packed with 2 or more family units. Why make it more congested why not simply double up or more the single family lots?
3. Connected with the above is the question of connectivity to walkable area if town and to the public transport. Has the idea to use small vans or small electric vehicles to connect the parcels further away from Mass Ave been considered? It could perhaps be paid by the residents or the town could support it or raise funds for it. That was the distribution of new builds can spread across the town instead of over-densifying the already dense stretch.

Comments:

1. I am very concerned about the aesthetics of the town and while I won't argue against building modern looking buildings (even though my personal preference is to see spaces that blend in nicely with the old/historic appearance), I do have problems with the new buildings that look dull/lack creativity/unappealing and uninviting. This is one aspect I am sure would be hard to control if builders decide to build away in our beautiful backyards and front yards. It would be too hard to stare at a such constructions for me, unfortunately.
2. This and been shared before and I agree that the proposal does not guarantee affordable housing. That seems like an assumption because builders may chose to build a very expensive 4 unit complex, for example.

3. This is also shared before and I agree that this proposal could potentially cause a lot of unnecessary waste as builders may be tempted to tear down perfectly fine old homes in favor of more units. Terrible for the environment.

4. MBTA for me means from here to Harvard square. Most other places take much longer to reach with changes, and don't seem worth the time/effort. Most places in Boston take double the time compared to driving. So we choose to spend 33 min on road than over an hour by MBTA, that is when it is on time which is not the case all the time. I am not sure what the appeal would be for people to move into Arlington to use the MBTA. I think they will have to use cars. Hence, I am not sure how exactly overcrowding mass Ave would be helpful in keeping CO2 emissions low. I think the public transport would have to be really really made dependable and appealing to have a real impact on climate. I would like to know more about how people travel and how it helps or not through a survey if possible in the future.

Thanks a lot for all the hard work on this proposal. I really appreciate it. Unfortunately, I don't agree with going over limit for the concerns stated above. I think Arlington can always reconvene a few years later to reassess and move for the next rezoning plan.

Lisa Hota
Newman Way

From: Thouis (Ray) Jones

Sent: Monday, September 18, 2023 10:18 PM

To: Claire Ricker; Eugene Benson; Kin Lau; Stephen Revilak; Rachel Zsembery

Subject: To the ARB: I support the MBTA overlay

Hello,

I am writing to express my support of the MBTA overlay, including:

- parking limited to 1 space per unit,
- 4 stories in the Neighborhood subdistrict, and
- keeping the overlay zones east of Orvis road.

We should do far more than the minimum required by law. Arlington should be leading on creating more housing near transit.

Thank you,
Thouis Jones
51A Wyman Terrace

From: Anton Rapetov
Sent: Sunday, September 24, 2023 11:13 AM
To: MBTA Communities
Subject: I Support Meaningful MBTA Communities Act!

Hi,

Housing affordability is a big issue in the USA, Massachusetts, and here locally - in Arlington. In the last decade, the cost of land has increased at least 2x faster compared to the cost of the building itself (judging by the tax info).

So, now, for most homes, land accounts for a bigger proportion of the value than the building itself.

It is a clear sign of restricted supply fueling the prices.

Such issues can only be solved by slowly increasing the supply.

Building mid-high buildings would let us create more affordable units, which our citizens badly need!

Meaningful zoning also allows to have good parks and green areas, because so many more people can walk instead of driving, which saves a lot of space that would have been occupied by cars.

I believe that the "Meaningful MBTA Communities Act" is the right move forward and **totally support this act!**

Regards,
Anton

From: David White
Sent: Thursday, September 28, 2023 1:35 PM
To: Claire Ricker
Subject: Re MBTA Community Act

Dear ARB people,

Although I have commented before the MBTA Communities Act discussions these are some issues that I think are especially important.

We really need to take a long-term view as decisions made now will have impacts decades into the future.

Specifically we need to take into consideration a warmer and wetter climate.
Thus we need to provide adequate space for trees and green spaces in all our zones, including the commercial ones.

One thing that should be required is front setbacks on Mass Ave and Broadway for the buildings with commercial on the ground floor. While it is great that ground floor commercial - preferably for retail and restaurant and services - is being incentivized with an extra story or two, the 0 foot front setback is a reduces public open space.

Let's have 15' front setbacks for bike racks, cafe seating, public art, trees, and the potential for permeable surface to reduce stormwater pollution, runoff, and downstream flooding! 15' setbacks is not a lot, but could provide for some community gathering space, particularly if there is some outdoor furniture under trees.

I think that this would be a change that the Town Meeting would be happy to see.

Thank you,
David White, Town Meeting Member

From: Patricia Worden

Sent: Wednesday, September 20, 2023 11:41 AM

To: Rachel Zsemlery; Kin Lau; Ashley Maher; Claire Ricker; Eugene Benson; Stephen Revilak; Eric Helmuth; Stephen DeCoursey; Diane Mahon; John Hurd; Jim Feeney

Subject: Testimony for ARB meeting of October 2, 2023

Worden Testimony for ARB meeting of October 2, 2023

Please Post with correspondence received

Dear members of the Arlington Redevelopment Board, Select Board, Mr. Feeney, and Ms. Richter,

Unfortunately many residents supporting the Working Group have been told (by high density proponents including a member of the ARB) and clearly believe that Arlington “severely restricted housing supply over the last 50 years” and needs to catch up with residential construction of apartments because (they claim) it followed an exclusionary zoning path since the Zoning Bylaw recodification of the seventies. That is NOT TRUE - Actually Arlington’s Inclusionary Zoning Bylaw-aka Affordable Housing Bylaw was one of the best and earliest such instruments of our region. Our subsidized Housing inventory is higher than most surrounding Towns and some cities.

Sadly, the current ARB and Planning Department are thought to have been remarkably careless recently about ensuring protocol for fair allocation, pricing, size etc. of some affordable units which would even make them ineligible for inclusion in the state’s Subsidized Housing Inventory (SHI). The WG Plan gives no information about safeguarding tenants’ interests against illegally high rents and unacceptably tiny apartments charged for affordable units by predatory developers, if indeed the WG plan ever even enables any affordable units to be provided by our by-law - Section 8.2 of Arlington Zoning Bylaw. There is NO certainty of affordable unit production by the WG Plan despite their misleading comments about affordable unit incentives etc.

Arlington is the second most dense Town in the Commonwealth and if nine or so of our surrounding Towns were built out to our density there would be no housing shortage in Massachusetts The narrative promulgated by Arlington pro-density officials also claims that Arlington downsized their zoning to make it extremely difficult to build multi-family homes and that we were not a welcoming community. That is particularly inaccurate. For example, Arlington was one of the first and most important towns to include and warmly welcome METCO. Importantly, zoning was never used in Arlington to stop multifamily building. Just the opposite. In the early seventies there was concern that apartment builders were planning too many in East Arlington and so there was a construction moratorium for a short time. The moratorium enabled sufficient time for the zoning bylaw to be changed to encourage apartment buildings to be built in a manner enhancing the residential areas in many areas in Town. And, unlike most neighboring towns where few multifamily buildings were built, since the seventies many more apartments have been permitted and built—among the larger are:

- the Legacy in Arlington Centre
- Arlington 360 – the Symmes development
- Brightview Assisted Living Complex
- Watermill Place

- Brigham Square Apartments
- Collins project at the corner of Summer and Mill Streets
- Sunrise Assisted Living in Arlington Heights
- 882 Mass. Av
- Affordable Apartment Complexes built by the Housing Corporation of Arlington both in East Arlington and Arlington Heights
- Cusack Terrace, Housing Authority affordable complex, and
- Millbrook Square Affordable Apartments
- Apartments which were encouraged when gas stations shut down- such as the apartment building that replaced the Texaco gas station on Massachusetts Avenue in East Arlington.

Regarding disparaging comments about racial discrimination that that have been made by some officials and others trying to impugn Arlington's reputation it should be said that there will always be evil people in the world. Racial covenants were extremely rare in Arlington and a self-respecting attorney would refuse to handle a real estate deal unless a racial covenant was removed. Also, Arlington never had redlining -which in any event has little or nothing to do with zoning – mainly involved bankers.

According to the Planning Department a major initiative of the WG Plan is to implement several goals of the Master Plan to "address the lack of housing diversity in the community." The Master Plan involved thousands of hours of resident and expert involvement , was thoroughly vetted and then approved by Town Meeting. Very few Town Reports have been approved by Town Meeting

What Arlington's Master Plan actually states:

"Arlington is unique among Boston's inner suburbs for its diverse housing stock. "

So, Arlington 's Master Plan lauds the diversity of Arlington's housing. 61% of our housing stock is actually in 2 family or greater residential buildings. 39% is in single family housing. Some of the recent misinformation promoted by WG Plan proponents is that how the MBTA act will help to fill Arlington's so-called "Missing Middle."

In actuality, this supposedly Missing Middle, ranging from duplexes to 3 story low rise, is currently the predominant form of housing in Arlington.

In rough numbers,

Single Family 39%

Middle Housing 50%

Mid-Hi Rise apartment 11%

The WG Plan ignores the major housing recommendations of the Master Plan which specifies the need for senior housing and affordable housing-neither of which is part of the WG Plan.

The WG trashes the major recommendations of the Master Plan's sixteen pages of recommendations and preferences for care for Arlington's Historic and Cultural Resources. The MP is insistent that:

"Communities need to preserve the physical tapestry of historic buildings, structures, and landscapes for future generations. From Arlington's pivotal role in the events that precipitated the Revolutionary

War to the lasting physical creations showcasing masterful architectural styles, and the legacy of founding families such as the Robbins, Arlington has much to celebrate, and much to preserve from over three and a half centuries of development.”

Astoundingly the WG Plan Alternatives include plans for:

1. Enabling massive construction of apartment building and destruction ripping apart the quiet neighborhood hillside area of Paul Revere Road – the very road ridden by Paul Revere – and the area in which the historic and cherished home of Benjamin Locke – the Captain of the Minute Men at that time is now in danger of extinction if the ARB approves the WG Plan
2. Endangering area encompassing the Schwamb Mill – the oldest such working mill in the US and an invaluable Arlington cultural resource

We heard at the 9/11 hearing from a resident of a multifamily unit on Mass. Av. that she wishes others could acquire such units. Yes, right now Arlington has many naturally affordable units but if the WG’s plan for over-compliance is successful she may find that she no longer has her apartment-it will be demolished for gentrification. The new apartments enabled by the WG Plan will be much more expensive. I believe there was a demonstration last weekend by some residents of the large apartment buildings opposite the High School to object to possible eviction of long-term tenants—which will happen much more should the WG Plan be approved.

I have been involved in increasing affordable housing and preventing homelessness for many years. We have heard many wrongful claims and projections at the 9/11 ARB Hearing about the advantages that the current WG Plan for many thousands of new units if approved would bring affordable units, senior units and accessibility. Just remember that the WG has refused to require any of these and has not obtained state permission to use Arlington’s Affordable Housing Bylaw so they may **NEVER** happen if their plan is approved.

Sean Keane is an angel and posted the video of the Hearing on 9-11 very expeditiously (the ARB did allow some but not all anti-WG Plan speakers):

<https://youtu.be/5Tr8gl0l7p0?si=4sh2jGslqteXpq4F>

Here is the video for the Hearing on 7-25 in which more residents were allowed to speak:

<https://youtu.be/Q2LU6b59BHg>

Very truly yours,

Patricia B. Worden, Ph.D.

Former Chair, Arlington Housing Authority

Former Charter member Arlington Human Rights Commission